

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

ANTONE LAMANDINGO KNOX,)
)
Petitioner,)
)
-vs-) Case No. CIV-19-0790-F
)
TOMMY SHARP, Interim Warden,)
)
Respondent.)

ORDER

Petitioner Antone Lamandingo Knox, a state prisoner appearing *pro se*, brings this action seeking relief under 28 U.S.C. § 2241. Before the court is the Report and Recommendation of August 29, 2019 (the Report, doc. no. 8) submitted by Magistrate Judge Suzanne Mitchell. The Report recommends transfer of this case, including transfer of petitioner's pending motion for leave to proceed *in forma pauperis* (doc. no. 2), to the United States District Court for the Eastern District of Oklahoma. The Report observes that a § 2241 petition attacks the execution of a sentence and must be filed in the district where the prisoner is confined. The Report also observes that petitioner is incarcerated at the Oklahoma State Penitentiary in McAlester, Pittsburg County, Oklahoma, a facility which is within the territorial jurisdiction of the Eastern District of Oklahoma.

In response to the Report, petitioner filed a document entitled, in part, "Rebuttal Response to the Magistrate Judge Report." Doc. no. 9. That document has been filed by the clerk as an "objection" to the Report. The text of doc. no. 9, however, does not object to transfer of this case. Petitioner states, "I have no

objection's [sic] to the speedy transfer of my case to the U.S. E. D. of Okla. in the interest of justice. It is so prayed!" Doc. no. 9, p. 3 of 3. The balance of doc. no. 9 relates to petitioner's pending motion for *in forma pauperis* status, complaining about delays allegedly caused by corrections officials. The Report makes no recommendations regarding any ruling on petitioner's motion for leave to proceed *in forma pauperis*. The Report simply recommends the motion be transferred to the Eastern District of Oklahoma, along with this case.

Based on the court's *de novo* review of petitioner's "objections," the court finds that petitioner has not objected to any rulings or findings recommended in the Report. Any purported "objections" are therefore **DENIED**. Doc. no. 9. The Report and Recommendation is **ACCEPTED** and **AFFIRMED**. Doc. no. 8. As recommended by the magistrate judge, this § 2241 matter, including petitioner's motion to proceed *in forma pauperis* (doc. no. 2), is hereby **TRANSFERRED** to the United States District Court for the Eastern District of Oklahoma.

IT IS SO ORDERED this 10th day of September, 2019.



STEPHEN P. RIOT
UNITED STATES DISTRICT JUDGE